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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN ILLINOISMICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTGerald Meachum #07687-424  
P.O. Box 8000, FCI-McKean  
Bradford, PA 16701  
(Name & Address of Prisoner)

Petitioner,

vs.

UNITED STATES OF AMERICA,  
UNITED STATES ATTORNEY'S OFFICE  
NORTHERN DISTRICT OF ILLINOIS,

Respondent.

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\* Civil Action No.

(Supplied by Clerk)

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\* 08CV 776

\* JUDGE LEINENWEBER

\* MAGISTRATE JUDGE COLE

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**PETITION FOR WRIT OF HABEAS CORPUS UNDER THE "SAVINGS CLAUSE"  
OF TITLE 28 U.S.C. § 2255, ¶ 5, BY A FEDERAL PRISONER**

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## COUNSEL FOR PETITIONER

  
Gerald Meachum  
P.O. Box 8000  
Bradford, PA 16701  
Register No. 07687-424

1. Name and location of court which entered the judgment of conviction under attack: United States District Court for the Northern District of Illinois, Eastern Illinois, 219 S.Dearborn Chicago, Illinois, 60604.
2. Date of judgment of conviction: June 09, 1998.
3. Length of sentence: Four hundred and Eighty-eight months.
4. Nature of offense involved(all counts): 18 USC § 1951, Conspiracy Attempt to Commit Robbery, Counts 1,3,&4; 18 USC § 924(c), Use of firearm in relation to crime of violence, Counts 6 & 7; 18 USC § 241, Conspiracy to deprive the civil rights of others, Count 5.
5. What was your plea? Not guilty.
6. If you pleaded not guilty, what kind of trial did you have? Jury trial.
7. Did you testify at trial? No.
8. Did you appeal from the judgment of conviction? Yes.
9. If you did appeal, answer the following:
  - a. Name of court United States Court of Appeals, Seventh Circuit.
  - b. Result Conviction Affirmed.
  - c. Date of result July 15, 1999.
10. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications or motions with respect to this judgment in any federal court ? I do not have anything pending in any court.
11. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:
  - a) At preliminary hearing, arraignment and plea, trial, and Sentencing, Scott J. Frankel, 77 West Washington St., Chicago, Illinois 60602. And Appeal.
  - b) In any post-conviction proceedings James Tunick, 10 S.- Lasalle, Suite 130, Chicago, Illinois 60603. And the Appeal.

Ground One: PETITIONER IS ACTUALLY AND FACTUALLY INNOCENCE OF A VIOLATION OF FEDERAL STATUTE, 18 U.S.C. § 1951 AS CHARGED BY THE UNITED STATES OF AMERICA

STATEMENT OF FACTS: On June 11,1997, Petitioner was allegedly charged in a Superseding Indictment for an alleged violation of 18 U.S.C. § 1951. The petitioner did not affect Interstate Commerce as required under 18 U.S.C. § 1951 and is Actually and Factually Innocent of the charge under the law.

Ground Two: PETITIONER IS ACTUALLY AND FACTUALLY INNOCENT OF A VIOLATION UNDER TITLE 18 U.S.C. § 1951 DUE TO THE WAY THAT HE HAS BEEN CHARGED CONTRARY TO THE INTENT OF CONGRESS'S SUBSTANTIAL EFFECT ON INTERSTATE COMMERCE, THIS CONSTITUTES, MISAPPLICATION OF THE LAW

STATEMENT OF FACTS: On June 11,1997, Petitioner was allegedly charged in a Superseding Indictment for an alleged violation of 18 U.S.C. § 1951. The petitioner did not affect Interstate Commerce as required by Congress when creating said act.

#### STATEMENT CONCERNING PETITION

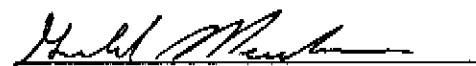
Petitioner submits this petition in accordance to the Congressional Mandate under Title 28 U.S.C. § 2255, ¶ 5 e.g., "Savings Clause" for Federal Prisoner's before he seeks habeas corpus relief in the district of confinement. Petitioner is not attacking the length of his sentence nor the jury verdict concerning matters at trial, petitioner is attacking the legality of his detention in accordance to 28 U.S.C. § 2255, ¶ 5. Petitioner is seeking habeas corpus review which under the Congressional Mandate he is required to comply with as a remedy similar to the "Great Writ".

**RELIEF SEEKING**

- 1) Petitioner seeks the Court to Order the United States to SHOW CAUSE to the Petitioner's claims within 10 days.
- 2) Petitioner seeks the Court to Order a fact finding hearing by having the petitioner transported from FCI-MCKEAN to the Court within 30 days after the United States reply.
- 3) Determine the facts and dispose of the matter as law and justice requires.

Wherefore, Petitioner prays that this court grants him the Remedy of habeas corpus under the "Savings Clause" e.g. 28 USC § 2255, ¶5.

Respectfully submitted,

  
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Gerald Meachum  
P.O. Box 8000  
Bradford, PA 16701  
Register No. 07687-424

Executed this 25<sup>th</sup> day of January, 2008

BY: Gerald Meachum